



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**INFORMATION DISCLOSURE STATEMENT
ACCORDING TO 37 C.F.R. §1.97(b)**

APPLICANT(S): Josef Chalupper, et al. DOCKET NO: P04,0054
SERIAL NO.: 10/788,521 ART UNIT: 2643
FILED: February 27, 2004 EXAMINER:
CONF. NO. 6889

TITLE: DEVICE AND METHOD TO ADJUST A HEARING DEVICE

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. §1.56 and the requirements of 37 C.F.R. §1.98, Applicant respectfully requests that a citation and examination of the references identified on the attached PTO 1449 form be made during the course of examination of the above-identified application for United States Patent.

The present Information Disclosure Statement is being filed according to 37 C.F.R. §1.97(b) and before the latter occurrence of:

- (1) three months from the filing date of a national application;
- (2) three months from the date of entry of the national stage as set forth in 37 C.F.R. 1.491 in an international application; or
- (3) the mailing date of a first Office Action on the merits.

REMARKS

The attached PTO 1449 form lists related art references for the above identified application.

EXPLANATION OF RELEVANCE


References AL-AN are German patent documents that were cited during the prosecution of the priority application. An English-language Derwent abstract has been provided for reference AL, and a full translation of this reference will be produced at the request of the Examiner.

Reference AA is an English-language U.S. application filed that corresponds to reference AM. Reference AB is an English-language U.S. publication that corresponds to reference AN.

The filing of the present Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed as an admission that the information cited in the present Information Disclosure Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

The above citation of related art is not a representation that such art constitutes a complete or exhaustive listing of all pertinent related art, nor that it necessarily includes the closest or most relevant art. The aforementioned citation comprises a voluntary citation of related art of which applicant and his attorney are presently aware and is not intended to serve as a substitute for the Examiner's own search.

Submitted by,

 (Reg. No. 45,877)

Mark Bergner
SCHIFF HARDIN, LLP
PATENT DEPARTMENT
6600 Sears Tower
Chicago, Illinois 60606-6473
(312) 258-5779
Attorney for Applicant(s)
CUSTOMER NUMBER 26574

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on June 21, 2004.





Form PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION
(use several sheets if necessary)

Docket No. P04,0054	Serial No. 10/788,521
Applicant Josef Chalupper, et al.	
Filing Date February 27, 2004	Group Art Unit 2643

U.S. PATENT DOCUMENTS

Examiner's Initials		Document Number	Date	Name	Class	Subclass	Filing Date If appropriate
	AA	09/281,943					
	AB	2002/0191806 A1	12/19/02	Rohrseitz, et al.			3/25/02
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	AL	40 20 154 A1	1/2/1992	Germany			Abst.	
	AM	198 15 373 A1	10/14/1999	Germany			See AA	
	AN	101 15 896 A1	11/14/2002	Germany			See AB	
	AO							
	AP							
	AQ							
	AR							
	AS							

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AT	
	AU	
	AV	
	AW	

Examiner	Date Considered
----------	-----------------

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.